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**PATENT**

Attorney Docket No.: A-71604/RFT/THR  
Attorney File No.: 468899-00035

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*In re* application of:

BROWN

Serial No. 10/617,927

Filing Date: July 10, 2003

For: *Formulations and Methods of  
Administration of Cephalotaxines  
including Homoharringtonine*


Examiner: Not Yet Assigned

Group Art Unit: 1645

CERTIFICATE OF MAILING

I hereby certify that this correspondence, including listed enclosures, is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450:

Dated: September 1, 2004

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Brent Yonehara

**INFORMATION DISCLOSURE STATEMENT  
AND  
STATEMENT OF RELATEDNESS**

Mail Stop Amendment  
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P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and in accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants wish to draw the attention of the U.S. Patent and Trademark Office to the references cited on the accompanying form PTO/SB/8A. In accordance with 1273 Off. Gaz. Pat. Off. 1, 8/5/2003, no copies of U.S. patents and U.S. published applications are enclosed. Copies of all other references are enclosed.

Further, in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicant notes that the present application is related to the following pending patent applications:

Serial No.: 10/617,927  
Filing Date: July 10, 2003

1. U.S.S.N. 10/769,638, filed January 30, 2004, which is a divisional of US Patent No. 6,734,178 B2 (cite A3 on attached form PTO/SB/8A);
2. U.S.S.N. 10/273,801, a continuation-in-part of U.S.S.N. 09/834,077, filed April 12, 2001, now U.S. Patent No. 6,630,173 B2 (cite A2 on attached form PTO/SB/8A);
3. U.S.S.N. 10/631,106, filed July 31, 2003 (Publication No 2004/0047918), which is a divisional of US Patent No. 6,630,173;
4. U.S.S.N. 09/996,354, filed October 31, 2001 (Publication No. 2002/0123469);
5. U.S.S.N. 10/616,178, filed July 8, 2003 (Publication No. 2004/0082788); and
6. U.S.S.N. 10/625,866, filed July 23, 2003 (Publication No. 2004/0077629).

Nothing herein shall constitute an admission concerning the contents of any of the cited references, nor shall the inclusion of a reference herein be considered an admission that the reference constitutes prior art against the invention claimed in the above-identified application. Submission of the present document shall not be construed as an admission that a search has been made or that better art does not exist.

As far as is known to the undersigned, this Information Disclosure Statement is being filed within three months of the filing date of a national application, within three months of the date of entry of the national state in an international application, or before the mailing date of a first Office Action on the merits as set forth in 37 C.F.R. § 1.97(b), and therefore no fee is required.

Serial No.: 10/617,927  
Filing Date: July 10, 2003

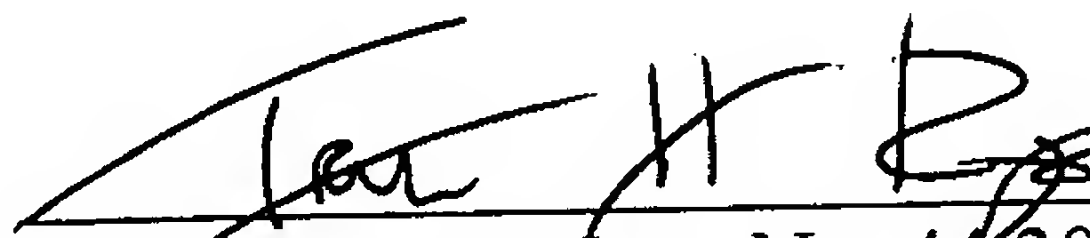
While no further fee is believed to be due, if this belief is in error, the Commissioner is authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-2319 (Our Order No. 468899-00035 (A-71604/RFT/THR)).

Respectfully submitted,

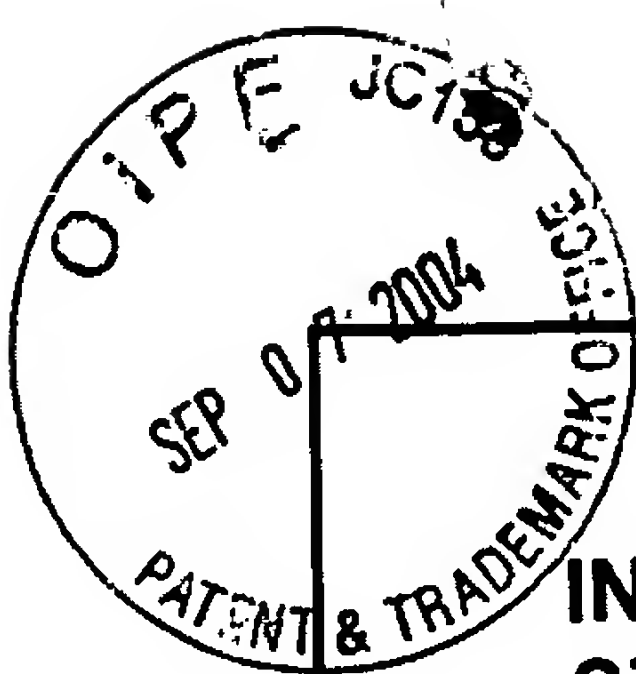
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**Customer Number: 32940**  
Dorsey & Whitney LLP  
Intellectual Property Department  
Four Embarcadero Center, Suite 3400  
San Francisco, CA 94111-4187  
(415) 781-1989 (telephone)  
(415) 398-3249 (facsimile)

By:

  
Traci H. Ropp, Reg. No. 44,307 for  
Richard F. Trecartin, Reg. No. 31,801

Attachments: Form PTO/SB/8A-B, substitute for Form PTO-1449  
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<b>Substitute for form 1449A/PTO (Modified)</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)			<b>Complete if Known</b>		
			Application Number	10/617,927	
			Filing Date	July 10, 2003	
			First Named Inventor	BROWN, Dennis M.	
			Art Unit	1614	
			Examiner Name	To Be Assigned	
Sheet	1	of	2	Attorney Docket Number	A-71604/RFT/THR (468899-00035)

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	A0	4,675,318	06-23-1987	Liu	
	A1	4,783,454	11-08-1988	Liu	
	A2	6,630,173 B2	05-11-2004	Brown	
	A3	6,734,178 B2	05-11-2004	Brown	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	B1	WO 01/68098 A2/A3	09-20-2001	ChemGenex Therapeutics, Inc.		

NON PATENT LITERATURE DOCUMENTS					T <sup>6</sup>
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.			
	C1	ABBOTT, B.J., et al., "Screening Data from the Cancer Chemotherapy National Service Center Screening Laboratories. XXXVI. Plant Extracts," <i>Cancer Res. Supp.</i> , 26(9):1131-1136 (Sep. 1966).			
	C2	AJANI, J., et al., "Phase II studies of homoharringtonine in patients with advanced malignant melanoma; sarcoma; and head and neck, breast, and colorectal carcinomas," <i>Cancer Treat. Rep.</i> 70(3):375-379 (Mar. 1986).			
	C3	FELDMAN, E., et al., "Homoharringtonine is safe and effective for patients with acute myelogenous leukemia," <i>Leukemia</i> 6(11):1185-1188 (Nov. 1992).			
	C4	GÜNTHER, A., et al., "Differential expression of intermediate-filament proteins in murine sarcoma 180 ascites or solid tumor," <i>Cancer Res.</i> 44(6):2590-2594 (Jun. 1984).			
	C5	JIN, X., et al., "Cisplatin combination therapy of murine S180," <i>Shanghai Yike Daxue Xuebao</i> , 16(1):50-54 (1989), Caplus Accession No. 1989:225174, (Abstract only).			
	C6	KANTARJIAN, H.M., et al., "Homoharringtonine: History, Current Research, and Future Directions," <i>Cancer</i> 92(6):1591-1605 (Sep. 2001).			
	C7	LASTER, W.R., et al., "Therapeutic synergism (TS) of homoharringtonine (H) plus 5-fluorouracil (FU) against leukemia P388 (P388/0) and ARA-C-resistant P388 (P388/ARA-C)," <i>Proc. Am. Assn. Cancer Res.</i> , 23:786 (1982), Embase Accession No. 82182588, (Abstract only).			
	C8	MAGNUSSON, K., et al., "Is conversion of solid into more anoxic ascites tumors associated with p53 inactivation?," <i>Oncogene</i> 17(5):2333-2337 (Nov. 1998).			
	C9	POWELL, R.G., "Antitumor alkaloids for <i>Cephalotaxus harringtonia</i> : structure and activity," <i>J. Pharm. Sci.</i> 61(8):1227-1230 (Aug. 1972).			
	C10	PROVENCHER, D., et al., "Discordance in p53 mutations when comparing ascites and solid tumors from patients with serous ovarian cancer," <i>Tumor Biol.</i> 18(3):167-174 (1997).			
	C11	RUNGE-MORRIS, M.A., et al., "Evaluation of Homoharringtonine efficacy in the treatment of squamous cell carcinoma of the head and neck: A phase II Illinois Cancer Council Study," <i>Invest. New Drugs</i> 7(2-3):269-273 (Jul. 1989).			
	C12	SAVAGE, K.E., et al., "Effect of tunicamycin, an inhibitor of protein glycosylation, on division of tumour cells <i>in vitro</i> ," <i>J. Cell Sci.</i> 64:295-306 (Nov. 1983).			

Examiner Signature	Date Considered
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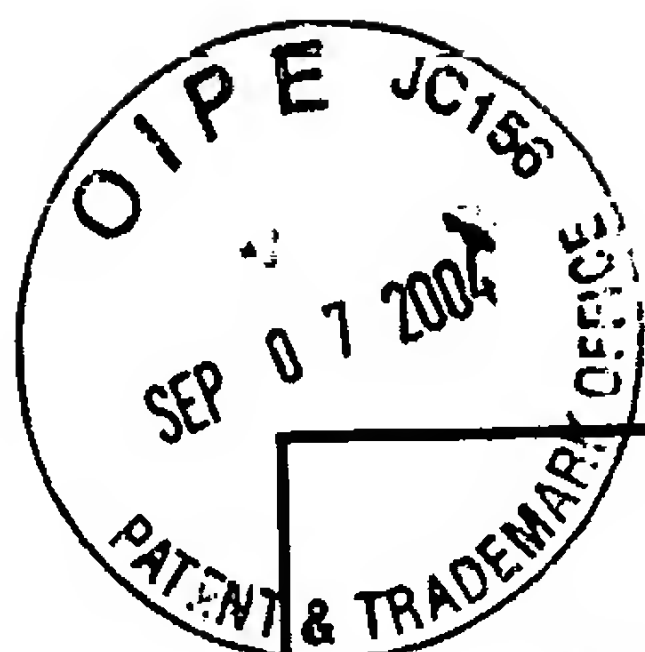
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			First Named Inventor	BROWN, Dennis M.	
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NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>6</sup>
	C13	TAKANO, I., et al., "Ester-type cephalotaxus alkaloids from <i>Cephalotaxus harringtonia</i> var. <i>drupacea</i> ," <i>Phytochemistry</i> , 44(4):735-738 (1997).	
	C14	TAKANO, I., et al., "New oxygenated <i>cephalotaxus</i> alkaloids from <i>Cephalotaxus harringtonia</i> var. <i>drupacea</i> ," <i>J. Nat. Prod.</i> 59(12):1192-1195 (Dec. 1996).	
	C15	VISANI, G., et al., "Effects of homoharringtonine alone and in combination with $\alpha$ interferon and cytosine arabinoside on <i>in vitro</i> growth and induction of apoptosis in chronic myeloid leukemia and normal hematopoietic progenitors," <i>Leukemia</i> 11:624-628 (May 1997).	
	C16	WARRELL, R.P., et al., "Homoharringtonine: an effective new drug for remission induction in refractory nonlymphoblastic leukemia," <i>J. Clin. Oncol.</i> 3(5):617-621 (May 1985).	
	C17	WITTE, R.S., et al., "A phase II trial of amonafide, caracemide, and homoharringtonine in the treatment of patients with advanced renal cell cancer," <i>Invest. New Drugs</i> 14(4):409-413 (1996).	
	C18	WITTE, R.S., et al., "A phase II trial of homoharringtonine and caracemide in the treatment of patients with advanced large bowel cancer," <i>Invest. New Drugs</i> 17(3):173-177 (1999).	
	C19	YUZHU, Z., et al., "Homoharringtonine, cytarabine and acliarubicin (HAA) combination chemotherapy for acute myeloid leukemia (AML)," <i>Chin. J. Clin. Oncol.</i> , 25(10):758-759 (1998), Embase Accession No. 1998384948, (Abstract only).	
	C20	ZHANG, S.D., et al., "Inhibitory effects of homoharringtonine and hydroxycamptothecin in combination with other agents on cancer cell growth," <i>Asia Pac. J. Pharmacol.</i> , 7:191-195 (1992).	
	C21	ZHOU, D.C., et al., "Homoharringtonine: an effective new natural product in cancer chemotherapy," <i>Bull. Cancer</i> 82(12):987-995 (Dec. 1995).	

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